
United States District Court
District of New Jersey

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

Honorable Tonianne J. Bongiovanni

ERIC A. DABNEY

Mag. No. 15-5015

I, Thomas Rogers, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about October 9, 2014, in Monmouth County, in the District of New Jersey, and elsewhere, defendant ERIC A. DABNEY:

Having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Middlesex County, did knowingly possess, in and effecting commerce, a firearm, to wit, a Heckler and Koch USP, 45 caliber handgun, Serial Number 25139563, loaded with 12 rounds of hollow point ammunition,

in violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and this Complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached pages and made a part hereof.

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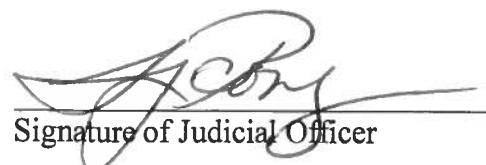
TONIANNE J. BONGIOVANNI
U.S. MAGISTRATE JUDGE



Thomas Rogers, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
August 17, 2015 at Trenton, New Jersey

HONORABLE TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE


Signature of Judicial Officer

ATTACHMENT A

I, Thomas Rogers, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based on my own investigation and discussions with other law enforcement personnel and other individuals involved in this investigation. Because this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a Complaint, I have not included each and every fact known by the Government concerning this investigation. All conversations are recounted in sum and substance.

1.) In or about October 2014, law enforcement was conducting an investigation of thefts occurring in the locker rooms of fitness clubs in Marlboro and East Brunswick. The suspect was a black male in a white Chevrolet Impala, possibly with Pennsylvania license plates, who previously identified himself using a driver's license bearing the name "Corey Brooks." On or about October 9, 2014, law enforcement learned that a suspect using the name "Corey Brooks" was present at the LA Fitness gym in East Brunswick, New Jersey, when a Middlesex County Sheriff's Officer's duty firearm was stolen out of his locker. The firearm was identified as a .45 caliber Heckler and Koch USP model handgun, bearing serial number 25-139563, loaded with hollow point ammunition.

2.) On the same day, October 9, 2014, the Marlboro Township Police Department received a phone call from a Marlboro New York Sports Club (hereinafter referred to as the "NYSC") employee, who reported a suspicious black male at that gym who had provided identification that had some discrepancies. Upon arrival at the NYSC, a Marlboro police officer observed an unoccupied white Chevrolet Impala parked in the parking lot, and further observed numerous padlocks inside that vehicle.

3.) Once the police were inside the NYSC, gym staff pointed out the suspicious black male, who was later identified as defendant ERIC A. DABNEY. Gym staff also provided the police with the identification that the suspect gave the staff to gain entry into the sports club, which had the name "Corey Brooks." Law enforcement interviewed defendant DABNEY, who identified himself as "Corey Brooks".

4.) Law enforcement continued its interview of defendant DABNEY outside of the NYSC; however, during that interview, defendant DABNEY fled. Law enforcement apprehended DABNEY, placed him under arrest, and impounded the Chevrolet Impala.

5.) During a post-arrest interview, after signing a written waiver of his Miranda rights, defendant DABNEY stated in substance and in part that he had committed the recent thefts at a Marlboro Work Out World, and that he used the Chevrolet Impala to commit the thefts and to transport him to locations to utilize stolen credit cards.

6.) During a second interview, on the same day, where he again signed a written waiver of his Miranda rights, defendant DABNEY admitted to being inside the East Brunswick LA Fitness Club from which the firearm was stolen, but initially denied having possession of the stolen firearm. Defendant DABNEY later informed law enforcement, in substance and in part that the firearm was in the trunk of the Chevrolet Impala.

7.) On October 15, 2014, law enforcement executed a search warrant on the Chevrolet Impala, which resulted in the recovery of the .45 caliber Heckler and Koch USP model handgun, bearing serial number 25-139563, loaded with hollow point ammunition; personal bills that were addressed to defendant DABNEY; a copy of a Pennsylvania driver's license in the name of "Anwar White" but bearing defendant DABNEY'S picture; and numerous other items which connected defendant DABNEY to the locker room thefts.

8.) The Heckler and Koch USP firearm that was seized is a firearm within the meaning of 18 U.S.C. § 921(a)(3) and was not manufactured in New Jersey. The hollow point ammunition that was loaded in that firearm also was not manufactured in New Jersey.

9.) A review of criminal history records revealed that, prior to October 9, 2014, defendant DABNEY was convicted of a felony offense punishable by a term of imprisonment greater than one year in the Superior Court of New Jersey, Middlesex County. Specifically, on or about October 29, 2004, defendant DABNEY was convicted in the Superior Court of New Jersey, Middlesex County, of Eluding and 2 counts Aggravated Assault, in violation of N.J.S.A. § 2C:29-2, N.J.S.A. § 2C:12-1b(5) and N.J.S.A. § 2C:12-1b(6), and was sentenced to the custody of the Commissioner of the New Jersey Department of Corrections for a term of 7 years.